

TESTIMONY FOR S.B.79
AN ACT CLARIFYING PROVISIONS OF THE GENERAL STATUTES REGARDING
THE USE OF PROPERLY INSTALLED AND CONTRUCTED BARRIER SYSTEMS
FOR CERTAIN PLANTINGS

Edward and Susan Baker
12 Laurel Road
Essex, CT 06426

February 17, 2016

Enviroment Committee
State of Connecticut
Legislative Office Building, Room 3200
Hartford, CT 06106

Dear Environment Committee:

I am writing to submit testimony for S.B. 79. We are homeowners in Essex, CT. Our property and our neighbors property have been invaded by bamboo planted by another neighbor on his property line. The bamboo has spread, sending up shoots into our property. The bamboo is a constant annoyance. We are constantly cutting down shoots that emerge in our garden beds and lawn and cleaning up leaves and branches all through the Summer and Fall that fall from the bamboo.

I support the intent of S.B. 79 but would like to see the following items added to the bill to clarify the intent:

1. ADD the three words "**or to grow**". These three words clarify the 40 foot buffer zone.
2. ADD subsection (g) to the various subsections - *this will authorize an individual to seek *private enforcement of buffer zone in court and authorize attorney fee.*
Language needed: **Subsection (g) - "A private right of action may be maintained by an adjoining property owner to enforce the provisions of [subsection (c)] of this statute." The plaintiff is entitled to attorneys' fees, and costs and disbursements if he/she is the prevailing party.**

Thank you for your consideration of this matter.

Sincerely,

Susan Baker
Edward Baker